

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of )

HAWAII SUPERFERRY, INC. )

For Approval of Tariff Changes )  
Relating to its Adjustable Fares )  
Program. )  
\_\_\_\_\_ )

TRANSMITTAL NO. 08-0020

ORDER APPROVING ON A TRIAL  
BASIS THE ADJUSTABLE FARES PROGRAM

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DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

PUBLIC UTILITIES  
COMMISSION

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FILED

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OF THE STATE OF HAWAII

In the Matter of the Request of	)	
	)	
HAWAII SUPERFERRY, INC.	)	Transmittal No. 08-0020
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ORDER APPROVING ON A TRIAL  
BASIS THE ADJUSTABLE FARES PROGRAM

By this Order, the commission approves on a one-year trial basis, subject to certain conditions, HAWAII SUPERFERRY, INC.'s ("HSF") proposed tariff changes filed on July 18, 2008, relating to its Adjustable Fares Program.

I.

Background

By Transmittal No. 08-0020, dated July 18, 2008, HSF seeks to amend its Tariff No. 1A by implementing its proposed Adjustable Fares Program.<sup>1</sup> HSF makes its request pursuant to HRS § 271G-17 and HAR §§ 6-65-5 and 6-65-30. HSF proposes an effective date of September 2, 2008, and states that "[t]he program would remain in effect until changed by

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<sup>1</sup>HSF served copies of its transmittal upon the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"), an ex officio party to this proceeding, pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62(a).

HSF pursuant to applicable statutes and rules."<sup>2</sup> No statement or comments were filed by the Consumer Advocate in response to HSF's transmittal.

A.

HSF's Proposed Adjustable Fares Program

HSF seeks to implement a new program of fares that will fall within a specified range, known as the Adjustable Fares. As explained by HSF, the components of the Adjustable Fares Program are:

1. The Adjustable Fares will apply to the following categories: Adult Off-Peak and Peak; Child, Senior, Military Off-Peak and Peak; Infants; Vehicles up to 17' Long Off-Peak and Peak; and Vehicles up to 20' Long Off-Peak and Peak.

2. The Adjustable Fares will range from the Summer Promotional Fares at the low-end of the range, which do not include the fuel surcharge, to its original tariff fares (Tariff No. 1A, Appendix B) at the high-end of the range, which include the fuel surcharge (the "Standard Fares").

3. The Adjustable Fares will be deemed automatically approved, provided that the fares fall within the established range (see Tariff 1A, Appendix F, of HSF's transmittal).<sup>3</sup>

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<sup>2</sup>HSF's transmittal, dated July 18, 2008, at 4.

<sup>3</sup>HSF's proposed Appendix F sets forth the range of fares for each category included in the Adjustable Fares Program. A copy of HSF's proposed Appendix F is attached to this Order.

4. While the Adjustable Fare level may include different fare levels for different dates and for different voyages, similar to the peak and off-peak concept, all fares will be within the established range.

5. The Adjustable Fares will be set forth in a written notice to be filed with the commission and the Consumer Advocate, and will go into effect on the third business day following such filing, "including being posted on HSF's website and being available for purchase through the website or HSF's call center reservations."<sup>4</sup> In addition to the fares, the Notice will include:

A. A computation of what the tariff fares, including the fuel surcharge, will be at the upper end of the range, to demonstrate that the Adjustable Fares announced in the Notice are no higher than the upper end.

B. The duration of the pricing, i.e., the dates during which the Adjustable Fares can be purchased.

C. The dates of travel using the Adjustable Fares.

D. Whether any other discounts will apply, such as the advance purchase discount, internet purchase, connecting route passenger discount, and Island Agricultural Product discount.

E. The State of Hawaii fees, public utility fees, and taxes will be added to the Adjustable Fares.

F. The fuel surcharge will not apply to the announced Adjustable Fares.

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<sup>4</sup>HSF's transmittal, dated July 18, 2008, at 3.

6. "Until the expiration of the Summer Promotional Fares (as modified Tariff Filing Nos. 08-0015 and 08-0018) on October 31, 2008, if no Adjustable Fares are in effect (i.e., the time period stated in the prior Notice has expired and no new Notice has been filed), then the Summer Promotional Fares (as modified) will apply."<sup>5</sup>

7. All tickets purchased prior to the effective date of this change will be honored for the voyage for which the ticket was purchased. Any changes to the reservation will be subject to the change fee set forth in Tariff No. 1A.

B.

HSF's Position

In support of the Adjustable Fares Program, HSF states:

1. HSF is presently offering temporary reduced fares at certain fixed rates for travel through September 30, 2008, known as the Summer Promotional Fares. Upon the expiration of the Summer Promotional Fares, HSF's fares will revert to the Standard Fares as set forth in its original tariff (Tariff No. 1A, Appendix B), including the fuel surcharge, unless the proposed Adjustable Fares Program is implemented by HSF.

2. Since March 2008, when the Summer Promotional Fares were announced, the cost of fuel has increased fifty-four percent.

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<sup>5</sup>HSF's transmittal, dated July 18, 2008, at 3.

3. The intent of the Adjustable Fares:

. . . is to offer more affordable fares to customers that are discounted from the Standard Fares, to attract residents and visitors to try the new mode of transportation while still allowing the company to recover a portion of the increased fuel costs. HSF submits that fares within the range will be just and reasonable, inasmuch as they will fall between the previously approved promotional fares at the lower end and the original tariff fares at the upper end. HSF also submits that allowing fares to be adjusted in a shorter time frame than the 45 day process will not only assist HSF in promoting and growing its business but will also serve the public interest. The implementation of this Adjustable Fares program does not result in an increase in rates from the Standard Fares stated in the original tariff. While adjustments may occur upwards within the range, the upper boundary of the fares will be what is stated in HSF's original tariff that became effective May 27, 2007.

HSF's transmittal, dated July 18, 2008, at 2 (emphasis added).

4. The Adjustable Fares Program "is designed to expedite changes by HSF in its rates to respond to market forces while still remaining within a range that is just and reasonable. The customer will know the range of fares, because it is established and will be stated in the tariff. The customer will know the fares in effect and applicable to his status because the Adjustable Fares, if any, will be stated on the carrier's web site and available by calling the carrier's telephone reservations line, which are the two methods of purchasing a ticket.

5. The Adjustable Fares Program will enable HSF to timely respond to pricing changes by inter-island airlines, whose prices are unregulated, and thus, are able to respond to

competitors' pricing changes and other market forces almost immediately.

6. The Adjustable Fares Program "will allow HSF to be more responsive to the costs of the industry, including the cost of fuel. The ability to respond timely to increases in costs will assist in the long-term viability of the company. The ability to respond timely to market pressures will serve the public interest."<sup>6</sup>

7. The Adjustable Fares Program, if approved by the commission, is designed to reduce the administrative burden upon the commission and the Consumer Advocate, while "still allow[ing] regulatory oversight because all fares would be within the approved range and any adjustments would only occur after reasonable notice to the Commission and the Consumer Advocate."<sup>7</sup>

8. Having the flexibility to offer fare changes on less than forty-five days' notice will enable HSF to attract more customers, as "HSF's experience has been that travelers purchasing tickets in the categories affected by the Adjustable Fares usually purchase their tickets seven or fewer days prior to the voyage."<sup>8</sup>

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<sup>6</sup>HSF's transmittal, dated July 18, 2008, at 4-5.

<sup>7</sup>HSF's transmittal, dated July 18, 2008, at 5.

<sup>8</sup>HSF's transmittal, dated July 18, 2008, at 5.

## II.

### Discussion

In general, the low-end and high-end of the fares that HSF seeks to establish as the parameters of the range have previously been reviewed and allowed to take effect by the commission.<sup>9</sup> The commission, likewise, has authorized fares that fall below the low-end of the proposed Adjustable Fares Program,<sup>10</sup> as well as fares that fall within the range of the proposed program.<sup>11</sup> Thus, in the commission's view, there is a rebuttable presumption that the fares that fall within the range of the Adjustable Fares Program are presumptively just and reasonable, which is, however, a rebuttable presumption.<sup>12</sup>

Based on HSF's representations, the commission finds that the implementation of the Adjustable Fares Program on a one-year trial basis appears just, reasonable, and consistent with the public interest of: (1) promoting safe, adequate,

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<sup>9</sup>See Tariff Order, filed on May 21, 2008 (Summer Promotional Fares); and Tariff Order No. 23465, filed on May 30, 2007 (initial Tariff No. 1A, including the Standard Fares); see also Decision and Order No. 21524, filed on December 30, 2004 (certificate of public convenience and necessity issued).

<sup>10</sup>See Order No. 23839, filed on November 16, 2007 (re-launch Promotional Fares); Order No. 23953, filed on January 3, 2008 (extension of the re-launch Promotional Fares); and Tariff Order No. 24143, filed on April 10, 2008 (extension of the re-launch Promotional Fares); see also Tariff Order, filed on July 24, 2008 (Island Agricultural Product Discount Program).

<sup>11</sup>See Tariff Order, filed on July 24, 2008 (increases in certain of the Summer Promotional Fares).

<sup>12</sup>See In re Young Bros., Ltd., Docket No. 01-0255, Decision and Order No. 24139, filed on April 19, 2008, at 27 (rate changes that fall within the range of the new Zone of Reasonableness are presumptively just and reasonable, which is, however, a rebuttable presumption).



economical, and efficient water transportation service by HSF, at the lowest cost consistent with the furnishing of the service; (2) providing sufficient revenues to enable HSF, under honest, economical, and efficient management, to provide water transportation service; and (3) "encourag[ing] the establishment and maintenance of reasonable rates and charges for transportation and related accessorial service, without unjust discrimination, undue preference or advantage, or unfair or destructive competitive practices, all to the end of developing, coordinating, and preserving a sound transportation system by water."<sup>13</sup> In effect, HSF seeks a means by which to promptly respond to competitive market forces, in particular, pricing changes by inter-island airlines, which are not subject to government regulation.<sup>14</sup> Accordingly, the commission will approve the Adjustable Fares Program on a one-year trial basis, from September 2, 2008 to August 31, 2009, subject to the following conditions:<sup>15</sup>

1. The change in fares set forth in HSF's Notice will take effect no sooner than three business days following the

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<sup>13</sup>HRS § 271G-16(e); see also HRS § 271G-2 (policy of the Hawaii Water Carrier Act, HRS chapter 271G).

<sup>14</sup>Cf. In re GTE Hawaiian Tel. Co. Inc., Docket No. 95-0320, Decision and Order No. 14340, filed on October 30, 1995 (commission's approval of a proposed amended tariff under which the incumbent telecommunications carrier will provide the commission with notification of a promotional offering via a letter of intent filed five days prior to the commencement of the promotion, limited to a waiver or discount of nonrecurring service connection fees, monthly recurring charges, or both).

<sup>15</sup>The one-year trial period is intended to reflect any changes in HSF's fares made pursuant to the Adjustable Fares Program that are attributable to seasonal differences.

filing of said Notice, provided that the proposed new fares fall within the range of the Adjustable Fares Program.

2. The commission, consistent with the public interest, may suspend for investigation any changes to HSF's fares made under the Adjustable Fares Program.

3. HSF, as part of the Adjustable Fares Program, shall not propose any new fares that exceed the Standard Fares set forth in its original tariff. Instead, such proposals, if any, must be filed as part of a separate application for a general rate increase.

4. HSF, as part of the Adjustable Fares Program, shall not propose any new fares that fall below the low-end of the Adjustable Fares. Instead, such proposals, if any, must be filed as part of a separate transmittal.

5. HSF shall maintain information and data on the changes in fares implemented pursuant to the Adjustable Fares Program, and the impact of the changes in fares as it relates to each of the supporting reasons identified by HSF in its transmittal. On July 1, 2009, HSF shall file a report with the commission and the Consumer Advocate, analyzing said information and data for the previous ten-month period.

6. By September 2, 2008, HSF shall promptly file its Appendix F tariff sheets with the commission, which include:  
(A) for the customers' information, the low-end and high-end of the pricing range for the Adjustable Fares, inclusive of the fuel surcharge for the high-end fares, and notification that any new fares will take effect within three business days following

the filing of HSF's Notice with the commission and the Consumer Advocate; (B) information that the Adjustable Fares Program is for a one-year trial basis, from September 2, 2008 through August 31, 2009; and (C) a statement that the commission, consistent with the public interest, may suspend for investigation any changes to HSF's fares made under the Adjustable Fares Program.

7. During the course of the Adjustable Fares Program, HSF, at the beginning of each month, starting with October 1, 2008, shall file for informational purposes its updated Appendix F tariff sheets, which include: (A) for the customers' information, the low-end and high-end of the pricing range for the Adjustable Fares, inclusive of the fuel surcharge for the high-end fares,<sup>16</sup> and notification that any new fares will take effect within three business days following the filing of HSF's Notice with the commission and the Consumer Advocate; (B) information that the Adjustable Fares Program is for a one-year trial basis, from September 2, 2008 through August 31, 2009; and (C) a statement that the commission, consistent with the public interest, may suspend for investigation any changes to HSF's fares made under the Adjustable Fares Program.

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<sup>16</sup>The Appendix F attached to HSF's transmittal presently lists the high-end of the fares, inclusive of the July 2008 fuel surcharge for the high-end fares. Under HSF's proposal, the high-end of the fares, which are calculated inclusive of the fuel surcharge for the given month, will adjust on a monthly basis, along with the fuel surcharge. Thus, during the course of the Adjustable Fares Program, HSF must file its updated Appendix F tariff sheets for informational purposes on a monthly basis.

### III.

#### Orders

##### THE COMMISSION ORDERS:

1. HSF's transmittal, dated July 18, 2008, which proposes to implement the Adjustable Fares Program, is approved on a trial basis for a one-year period, effective from September 2, 2008 to August 31, 2009, subject to the following conditions:

A. The change in fares set forth in HSF's Notice will take effect no sooner than three business days following the filing of said Notice, provided that the proposed new fares fall within the range of the Adjustable Fares Program.

B. The commission, consistent with the public interest, may suspend for investigation any changes to HSF's fares made under the Adjustable Fares Program.

C. HSF, as part of the Adjustable Fares Program, shall not propose any new fares that exceed the Standard Fares set forth in its original tariff. Instead, such proposals, if any, must be filed as part of a separate application for a general rate increase.

D. HSF, as part of the Adjustable Fares Program, shall not propose any new fares that fall below the low-end of the Adjustable Fares. Instead, such proposals, if any, must be filed as part of a separate transmittal.

E. HSF shall maintain information and data on the changes in fares implemented pursuant to the Adjustable Fares Program, and the impact of the changes in fares as it relates to

each of the supporting reasons identified by HSF in its transmittal. On July 1, 2009, HSF shall file a report with the commission and the Consumer Advocate, analyzing said information and data for the previous ten-month period. The Consumer Advocate may file with the commission any comments to the report by July 17, 2009.

2. The commission reserves the right, at any time, to review and modify or terminate the Adjustable Fares Program, consistent with the public interest.

3. HSF shall promptly file its Appendix F tariff sheets with the commission, which include: (A) for the customers' information, the low-end and high-end of the pricing range for the Adjustable Fares and notification that any new fares will take effect within three business days following the filing of HSF's Notice with the commission and the Consumer Advocate; (B) information that the Adjustable Fares Program is for a one-year trial basis, from September 2, 2008 through August 31, 2009; and (C) a statement that the commission, consistent with the public interest, may suspend for investigation any changes to HSF's fares made under the Adjustable Fares Program.

4. During the course of the Adjustable Fares Program, HSF, at the beginning of each month, starting with October 1, 2008, shall file for informational purposes its updated Appendix F tariff sheets, which include: (A) for the customers' information, the low-end and high-end of the pricing range for the Adjustable Fares, inclusive of the

fuel surcharge for the high-end fares, and notification that any new fares will take effect within three business days following the filing of HSF's Notice with the commission and the Consumer Advocate; (B) information that the Adjustable Fares Program is for a one-year trial basis, from September 2, 2008 through August 31, 2009; and (C) a statement that the commission, consistent with the public interest, may suspend for investigation any changes to HSF's fares made under the Adjustable Fares Program.

5. Upon the expiration of the one-year trial period (August 31, 2009), the Adjustable Fares Program, unless terminated before then, will continue subject to further order of the commission.

DONE at Honolulu, Hawaii AUG 26 2008.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By Carlito P. Caliboso  
Carlito P. Caliboso, Chairman

By John E. Cole  
John E. Cole, Commissioner

APPROVED AS TO FORM:

Michael Azama  
Michael Azama  
Commission Counsel

Leslie H. Kondo  
By Leslie H. Kondo  
Leslie H. Kondo, Commissioner

Transmittal No. 08-0020.1aa

Appendix F

ADJUSTABLE FARES

1. Notwithstanding what is stated elsewhere in this tariff, Carrier may offer the following fares at rates that are adjustable by Carrier and published as described in this Appendix F (the "Adjustable Fares"):

Adult Off-Peak

Adult Peak

Child, Senior, Military Off-Peak

Child, Senior, Military Peak

Infants

Vehicles up to 17' long off-peak

Vehicles up to 17' long peak

Vehicles up to 20' long off-peak

Vehicles up to 20' long peak

2. The amounts of the Adjustable Fares will fall within the range set forth in the table below. The fares at the upper end of the pricing range are subject to the Fuel Surcharge described in Section II.E. of this tariff.
3. The amounts of the Adjustable Fares will be set forth from time to time in a written notice (the "Notice") to be filed with the Public Utilities Commission (the "Commission") and the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the "Consumer Advocate") and will go into effect on the third business day following such filing. The Adjustable Fares will be posted on HSF's website. In addition to the fares, the Notice will include:
  - a. A computation of what the tariff fares, including the fuel surcharge, would be at the upper end of the pricing range, to demonstrate that the Adjustable Fares announced in the Notice are no higher than said upper end.
  - b. Duration of the pricing, i.e. dates during which the Adjustable Fares can be purchased.
  - c. Dates of travel using the Adjustable Fares.
  - d. Whether any other discounts will apply, such as advance purchase discount, internet purchase, connecting route passenger discount, or Island Agricultural Product discount.
4. State of Hawaii fees, PUC fees, and taxes will be added to the Adjustable Fares.
5. The fuel surcharge, which is described in Section II.E. of the tariff, will not apply to the Adjustable Fares.
6. Up to and including October 31, 2008, if no Adjustable Fare is in effect for the particular type of ticket, then the fares stated in Appendix E will apply. After October 31, 2008, if no Adjustable Fare is in effect for that type of ticket, then the fare stated in Appendix B will apply.

ISSUED: July 18, 2008

EFFECTIVE: September 2, 2008

ISSUED BY: JOHN L. GARIBALDI  
HAWAII SUPERFERRY, INC., ONE WATERFRONT PLAZA SUITE 300,  
500 ALA MOANA BLVD., HONOLULU, HAWAII 96813 (808) 531-7400 <http://www.hawaiisuperferry.com>

Appendix F

Honolulu TO Maui or Kauai one way fares

		Total Ticket Price	Fuel Surcharge (July 2008 @ 65.2%)	G.E.T. + HNL Tax	PUC Fee	DOT Pax. / Vehicle Fee	DOT Gross Receipts Fee	Fare
<b>PASSENGERS</b>								
Adult Off-Peak Days	Lower end of pricing range	\$54.07	\$0.00	\$2.44	\$0.14	\$2.00	\$0.49	\$49.00
Adult Off-Peak Days	Upper end of pricing range	\$84.20	\$32.40	\$2.33	\$0.13	\$2.00	\$0.47	\$46.87
Adult Peak Days	Lower end of pricing range	\$64.66	\$0.00	\$2.91	\$0.16	\$2.00	\$0.59	\$59.00
Adult Peak Days	Upper end of pricing range	\$100.64	\$38.90	\$2.78	\$0.15	\$2.00	\$0.56	\$56.25
Child (2 - 12), Seniors 62 & over, & Active/Retired Military Off-Peak	Lower end of pricing range	\$43.46	\$0.00	\$1.96	\$0.11	\$2.00	\$0.39	\$39.00
Child (2 - 12), Seniors 62 & over, & Active/Retired Military Off-Peak	Upper end of pricing range	\$66.67	\$25.48	\$1.85	\$0.10	\$2.00	\$0.37	\$36.87
Child (2-12), Seniors 62 & over, & Active/Retired Military Peak	Lower end of pricing range	\$54.07	\$0.00	\$2.44	\$0.14	\$2.00	\$0.49	\$49.00
Child (2-12), Seniors 62 & over, & Active/Retired Military Peak	Upper end of pricing range	\$83.13	\$31.98	\$2.31	\$0.13	\$2.00	\$0.46	\$46.25
Infant 14 days - 2 years	Lower end of pricing range	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Infant 14 days - 2 years	Upper end of pricing range	\$26.72	\$9.72	\$0.76	\$0.04	\$2.00	\$0.14	\$14.06
Advance Purchase Discount	Lower end of pricing range	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Advance Purchase Discount	Upper end of pricing range	-\$5.03	\$0.00	-\$0.23	-\$0.01	\$0.00	-\$0.05	-\$4.74
Internet Purchase Discount	Lower end of pricing range	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Internet Purchase Discount	Upper end of pricing range	-\$3.02	\$0.00	-\$0.14	-\$0.01	\$0.00	-\$0.03	-\$2.84
<b>VEHICLES</b>								
Commercial vehicle <= 8' high DOT fee adder	Lower end of pricing range	\$16.79	\$0.00	\$0.75	\$0.04	\$16.00	\$0.00	\$0.00
Commercial vehicle <= 8' high DOT fee adder	Upper end of pricing range	\$16.79	\$0.00	\$0.75	\$0.04	\$16.00	\$0.00	\$0.00
<b><u>Vehicles up to and including 8' high</u></b>								
Motorcycle, Scooter, Moped								
Off-Peak	Lower end of pricing range	\$41.30	\$0.00	\$1.85	\$0.10	\$4.00	\$0.35	\$35.00
Off-Peak	Upper end of pricing range	\$53.45	\$19.43	\$1.53	\$0.09	\$4.00	\$0.28	\$28.12
Peak	Lower end of pricing range	\$51.92	\$0.00	\$2.34	\$0.13	\$4.00	\$0.45	\$45.00
Peak	Upper end of pricing range	\$69.88	\$25.91	\$1.98	\$0.11	\$4.00	\$0.38	\$37.50
Passenger Autos, Small SUVs, Other up to 17' long								
Off-Peak	Lower end of pricing range	\$73.12	\$0.00	\$3.29	\$0.18	\$4.00	\$0.65	\$65.00
Off-Peak	Upper end of pricing range	\$94.53	\$35.65	\$2.65	\$0.15	\$4.00	\$0.52	\$51.56
Peak	Lower end of pricing range	\$83.73	\$0.00	\$3.77	\$0.21	\$4.00	\$0.75	\$75.00
Peak	Upper end of pricing range	\$110.96	\$42.14	\$3.10	\$0.17	\$4.00	\$0.61	\$60.94
Large Car, SUV, Van, Pickup, Other up to 20' long								
Off-Peak	Lower end of pricing range	\$73.12	\$0.00	\$3.29	\$0.18	\$4.00	\$0.65	\$65.00
Off-Peak	Upper end of pricing range	\$151.99	\$58.34	\$4.21	\$0.23	\$4.00	\$0.84	\$84.37
Peak	Lower end of pricing range	\$83.73	\$0.00	\$3.77	\$0.21	\$4.00	\$0.75	\$75.00
Peak	Upper end of pricing range	\$168.43	\$64.82	\$4.66	\$0.26	\$4.00	\$0.94	\$93.75

ISSUED: July 18, 2008

EFFECTIVE: September 2, 2008



Appendix F

Maui or Kauai TO Honolulu one way fares

		Total Ticket Price	Fuel Surcharge (July 2008 @ 65.2%)	G.E.T.	PUC Fee	DOT Pax. / Vehicle Fee	DOT Gross Receipts Fee	Fare
<b>PASSENGERS</b>								
Adult Off-Peak Days	Lower end of pricing range	\$53.78	\$0.00	\$2.16	\$0.13	\$2.00	\$0.49	\$49.00
Adult Off-Peak Days	Upper end of pricing range	\$83.78	\$32.24	\$2.07	\$0.13	\$2.00	\$0.47	\$46.87
Adult Peak Days	Lower end of pricing range	\$64.33	\$0.00	\$2.58	\$0.16	\$2.00	\$0.59	\$59.00
Adult Peak Days	Upper end of pricing range	\$100.11	\$38.69	\$2.46	\$0.15	\$2.00	\$0.56	\$56.25
Child (2 - 12), Seniors 62 & over, & Active/Retired Military Off-Peak	Lower end of pricing range	\$43.22	\$0.00	\$1.72	\$0.11	\$2.00	\$0.39	\$39.00
Child (2 - 12), Seniors 62 & over, & Active/Retired Military Off-Peak	Upper end of pricing range	\$66.32	\$25.35	\$1.63	\$0.10	\$2.00	\$0.37	\$36.87
Child (2-12), Seniors 62 & over, & Active/Retired Military Peak	Lower end of pricing range	\$53.78	\$0.00	\$2.16	\$0.13	\$2.00	\$0.49	\$49.00
Child (2-12), Seniors 62 & over, & Active/Retired Military Peak	Upper end of pricing range	\$82.69	\$31.81	\$2.04	\$0.13	\$2.00	\$0.46	\$46.25
Infant 14 days - 2 years	Lower end of pricing range	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Infant 14 days - 2 years	Upper end of pricing range	\$26.58	\$9.67	\$0.67	\$0.04	\$2.00	\$0.14	\$14.06
Advance Purchase Discount	Lower end of pricing range	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Advance Purchase Discount	Upper end of pricing range	-\$5.00	\$0.00	-\$0.20	-\$0.01	\$0.00	-\$0.05	-\$4.74
Internet Purchase Discount	Lower end of pricing range	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Internet Purchase Discount	Upper end of pricing range	-\$3.00	\$0.00	-\$0.12	-\$0.01	\$0.00	-\$0.03	-\$2.84
<b>VEHICLES</b>								
Commercial vehicle <= 8' high DOT fee adder	Lower end of pricing range	\$16.71	\$0.00	\$0.67	\$0.04	\$16.00	\$0.00	\$0.00
Commercial vehicle <= 8' high DOT fee adder	Upper end of pricing range	\$16.71	\$0.00	\$0.67	\$0.04	\$16.00	\$0.00	\$0.00
<b>Vehicles up to and including 8' high</b>								
Motorcycle, Scooter, Moped								
Off-Peak	Lower end of pricing range	\$41.09	\$0.00	\$1.64	\$0.10	\$4.00	\$0.35	\$35.00
Off-Peak	Upper end of pricing range	\$53.16	\$19.33	\$1.35	\$0.08	\$4.00	\$0.28	\$28.12
Peak	Lower end of pricing range	\$51.65	\$0.00	\$2.07	\$0.13	\$4.00	\$0.45	\$45.00
Peak	Upper end of pricing range	\$69.51	\$25.78	\$1.74	\$0.11	\$4.00	\$0.38	\$37.50
Passenger Autos, Small SUVs, Other up to 17' long								
Off-Peak	Lower end of pricing range	\$72.74	\$0.00	\$2.91	\$0.18	\$4.00	\$0.65	\$65.00
Off-Peak	Upper end of pricing range	\$94.04	\$35.46	\$2.35	\$0.15	\$4.00	\$0.52	\$51.56
Peak	Lower end of pricing range	\$83.29	\$0.00	\$3.33	\$0.21	\$4.00	\$0.75	\$75.00
Peak	Upper end of pricing range	\$110.36	\$41.90	\$2.74	\$0.17	\$4.00	\$0.61	\$60.94
Large Car, SUV, Van, Pickup, Other up to 20' long								
Off-Peak	Lower end of pricing range	\$72.74	\$0.00	\$2.91	\$0.18	\$4.00	\$0.65	\$65.00
Off-Peak	Upper end of pricing range	\$151.20	\$58.03	\$3.73	\$0.23	\$4.00	\$0.84	\$84.37
Peak	Lower end of pricing range	\$83.29	\$0.00	\$3.33	\$0.21	\$4.00	\$0.75	\$75.00
Peak	Upper end of pricing range	\$167.55	\$64.48	\$4.12	\$0.26	\$4.00	\$0.94	\$93.75

ISSUED: July 18, 2008

EFFECTIVE: September 2, 2008

ISSUED BY: JOHN L. GARIBALDI  
HAWAII SUPERFERRY, INC., ONE WATERFRONT PLAZA SUITE 300,  
500 ALA MOANA BLVD., HONOLULU, HAWAII 96813 (808) 531-7400 <http://www.hawaiisuperferry.com>

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI  
EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
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AUDREY E. J. NG, ESQ.  
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Counsel for HAWAII SUPERFERRY, INC.